

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DIANA EARLY,	:	
Plaintiff,	:	
vs.	:	Case No. 3:12cv223
CAROLYN W. COLVIN,	:	District Judge Thomas M. Rose
Acting Commissioner of the Social	:	Chief Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

ORDER

This social security case is presently before the Court upon the parties' Joint Motion to Remand (Doc. #10), and the record as a whole. The parties request the case be remanded to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g). The parties agree that, on remand, Plaintiff Diana Early will be provided with the opportunity for a hearing, and to submit additional evidence and arguments. (Doc. #10 at 1). The parties also stipulate that, on remand, the administrative law judge will:

- (1) update the medical record;
- (2) address Plaintiff's objections regarding the post-hearing consultative examination report;
- (3) further assess Plaintiff's residual functional capacity;
- (4) obtain, if necessary, vocational expert testimony consistent with the *Dictionary of Occupational Titles* (or reasonable explanation for any conflict); and,

(5) issue a new decision.

Id. Based upon the foregoing, the parties' Joint Motion to Remand is well taken.

IT IS THEREFORE ORDERED THAT:

1. The parties' Joint Stipulation to Remand to the Commissioner (Doc. #10) is **GRANTED**;
2. The ALJ's decision is **REVERSED**;
3. This matter is **REMANDED** to the Social Security Administration pursuant to Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with this Order and the parties' agreement; and,
4. The case is terminated on the docket of this Court.

March 1, 2013

s/ ***Thomas M. Rose***

Thomas M. Rose
United States District Judge